

42. (Thrice amended) A method for screening a compound to determine its ability to alter the amount of an A $\beta$  (x $\geq$  41) peptide in a cerebral spinal fluid sample comprising:

measuring a first amount of one or more soluble A $\beta$  (x $\geq$  41) peptides in the cerebral spinal fluid sample of a non-human animal model that expresses amyloid- $\beta$  precursor protein (APP) in the brain and processes it to the one or more soluble A $\beta$  peptides;

administering the compound to the non-human animal model;

measuring a second amount of the one or more soluble A $\beta$  peptides in the cerebral spinal fluid sample of the non-human animal model; and

comparing the first amount with the second amount,

the difference indicating whether the compound increases, decreases, or leaves unchanged the amount of soluble A $\beta$  (x $\geq$  41) in the cerebral spinal fluid sample.

#### REMARKS

Claims 42-47 are pending. Claim 42 has been amended. Support for the amendment is found throughout the specification, *e.g.*, page 24, lines 5-20. Claims 42-48 are provisionally rejected under obviousness-type double patenting, and claims 43-48 are rejected under 35 U.S.C. § 112, first paragraph.

#### I. Provisional rejection under non-statutory obviousness-type double patenting

Claims 42-48 are provisionally rejected under obviousness-type double patenting as allegedly being unpatentable over the allowed but not yet issued claims of copending Application No. 08/733,202.

If, upon allowance, the claims of the presently claimed invention are in conflict with the issued claims of copending Application No. 08/733,202, Applicants will address the rejection of claims 42-48 under non-statutory obviousness-type double patenting by filing a terminal disclaimer.